

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ARCHIE TINDELL,)	
)	
Plaintiff,)	Civil Action No. 07-1230
)	
v.)	Judge McVerry
)	Magistrate Judge Caiazza
JEFFREY A. BEARD, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Archie Tindell's ("Tindell" or "the Plaintiff") Complaint pursuant to 42 U.S.C. §1983 was removed to this Court by the Defendants from the Court of Common Pleas of Allegheny County on September 12, 2007, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The matter was later assigned to Magistrate Judge Bissoon.

The Magistrate Judge's Report, filed on May 4, 2009, recommended that the Motion for Summary Judgment filed by Defendants Crumb, Cadwell, Leggett, Keposky and Ruvo (all of the remaining Defendants) (Doc. 73) be granted. The parties were allowed ten days from the date of service to file objections. Tindell filed objections on May 29, 2009.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following ORDER is entered:

AND NOW, this 2nd day of June, 2009,

IT IS HEREBY ORDERED that the Motion for Summary Judgment filed by Defendants Crumb, Cadwell, Leggett, Keposky and Ruvo (Doc. 73) is GRANTED. The Report and Recommendation of Magistrate Judge Bissoon (Doc. 97) dated May 4, 2009, is adopted as the opinion of the court.

s/Terrence F. McVerry
Terrence F. McVerry
U.S. District Court Judge

CC:
ARCHIE TINDELL
EW-6464
SCI Fayette
Box 9999
50 Overlook Drive
LaBelle, PA 15450